HOWREY SIMON ARNOLD & WHITE HOWREY LLP WHERE LEADERS GO™

750 BERING DRIVE
HOUSTON, TX 77057-2198
PHONE: 713.787.1400 • FAX: 713.787.1440

FACSIMILE COVER SHEET

DATE: 12/24/2002

TO: NAME: Examiner Einsmann

COMPANY: Patent and Trademark Office

FAX NO: 703.308.4242

FROM: NAME: Patricia A. Kammerer

CONFIRMATION #: _____ USER ID: _____

NUMBER OF PAGES, INCLUDING COVER: 16 CHARGE NUMBER: 11362.0030.PCUS00

☐ ORIGINAL WILL FOLLOW VIA:

☐ REGULAR MAIL ☐ OVERNIGHT DELIVERY ☐ HAND DELIVERY ☐ OTHER: _____

☒ ORIGINAL WILL NOT FOLLOW

SUPPLEMENTAL MESSAGE:

IF THERE ARE ANY QUESTIONS OR PROBLEMS WITH THE TRANSMISSION OF THIS FACSIMILE, PLEASE CALL 713.787.1520.

17/C
Suppl.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent Office at 703-308 4242 on the date below.

December 24, 2002 Ramona Hernandez
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Lieven Stuyver

Serial No.: 09/720,435

Filed: June 25, 2001

For: METHOD FOR DETECTION OF DRUG-SELECTED MUTATIONS IN THE HIV PROTEASE GENE

Confirmation No.: 1489

Group Art Unit: 1634

Examiner: J. Einsmann

Atty. Dkt. No.: 11362.0030.PCUS00
(INNS030---)

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT DATED OCTOBER 1, 2002

Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is submitted in supplemental response to the Restriction Requirement dated October 1, 2002 following an telephone conference with Examiner Einsmann on December 17, 2002.

While no fees are believed due by virtue of this supplemental response, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/**11362.0030.PCUS00**.

AMENDMENT

IN THE CLAIMS:

Please cancel claims 9 and 22.

Please amend claims 1, 3, 5, 6, 12, 13, 17, and 20-26 to read as follows:

---

1. **(Twice Amended)** Method for determining the susceptibility to antiviral drugs of HIV viruses in a biological sample, with said method comprising:

   a) if need be, releasing, isolating or concentrating the polynucleic acids present in the sample;

   b) if need be amplifying the relevant part of a protease gene of HIV with at least one suitable primer pair;

   c) hybridizing the polynucleic acids of step a) or b) with at least two probes specifically hybridizing to a target sequence of the HIV protease gene, codon 82/84, or the complement of said probe;

   wherein said probes are capable of simultaneously hybridizing to their respective targets under appropriate hybridization and wash conditions;

   wherein said probes are immobilized on a solid support; and

   d) inferring from the result of step c) whether or not a mutation giving rise to drug resistance is present in said target sequences.

---

3. **(Twice Amended)** Method according to claim 1, further characterized in that said probes are chosen from the following list: SEQ ID NO: 228 to SEQ ID NO: 357, SEQ ID NO: 517 to SEQ ID NO: 519 or the complement of said probes.

---

5. **(Twice Amended)** Method according to claim 1 further characterized in that:

step b) comprises amplifying a fragment of the protease gene with at least one 5'-primer specifically hybridizing to a target sequence located at nucleotide position 210 to 260 of the protease gene, in combination with at least one suitable 3'-primer.